

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

RECEIVED

JAN 19 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Federal-State Joint Board on)
Universal Service Promoting)
Deployment and Subscribership)
in Unserved and Underserved)
Areas, Including Tribal and)
Insular Areas)

CC Docket No. 96-45

**REPLY COMMENTS OF
THE STATE OF ALASKA**

The comments filed by other parties in response to the *Further Notice of Proposed Rulemaking*¹ generally do not challenge the fundamental proposition advanced by the State of Alaska in its comments that whatever programs the Federal Communications Commission ("FCC") adopts for tribal lands in other parts of the Nation should be applied in Alaska, consistent with the jurisdiction of the Regulatory Commission of Alaska over intrastate communications.² Congress has

¹ *Federal State Joint Board on Universal Service: Promoting Deployment and Subscribership in Unserved and Underserved Areas, Including Tribal Lands*, Further Notice of Proposed Rulemaking, CC Docket No. 96-45, FCC 99-204 (rel. Sept. 3, 1999).

² Comments of the State of Alaska at 15-17 (filed December 17, 1999).

Some parties suggest that the Commission should define "tribal lands" for its purposes to include only lands that are fit within the definition of "Indian Country," such as Indian reservations. *See, e.g.*, Joint Comments of the Salt River Pima-Maricopa Indian Community and the National Tribal

(continued...)

No. of Copies rec'd
List A B C D E

34

repeatedly decided that Native Alaskans are entitled to participate in federal programs aimed at improving the lives of Native Americans to the same extent as other native groups. The State of Alaska agrees with others who urge the Commission to recognize that “one size does not fit all” in this area.³ It thus reiterates its suggestion that appropriate FCC staff come to Alaska to meet with Native Alaskans including representatives of tribal governments, other rural residents, the Regulatory Commission of Alaska, the State, and others on these issues.⁴

Several comments were filed in response to the portions of the *Further Notice* that discuss insular areas. The State of Alaska, like the State of Hawaii and the Rural Utilities Service of the U.S. Department of Agriculture, believes that if the Commission should adopt special universal service programs for insular areas, island locations of States should not be excluded from these programs.⁵ The universal service needs of island portions of Alaska are enormous, as demonstrated

(...continued)

Telecommunications Alliance at 5-9 (filed December 17, 1999). As set forth in the State’s Comments, such an approach would generally not encompass lands in Alaska.

³ See, e.g., Comments of the Public Service Commission of Wisconsin at 2-3 (dated December 16, 1999).

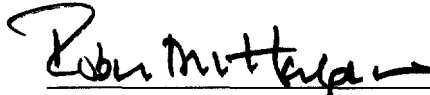
⁴ Comments of the State of Alaska at 17-18.

⁵ Comments of the Rural Utilities Service at 12-13 (filed December 17, 1999); Comments of the State of Hawaii at 4 (dated December 16, 1999). *But see* Comments of the U.S. Department of the Interior, Office of Insular Affairs at 2 (agreeing with proposed definition excluding island portions of States) (filed December 3, 1999).

by the testimony of Ron Philemonof, the chairman and CEO of the Tanadgusix Corporation, the Native Village of St. Paul, an Aleutian island community, discussed in the State's initial comments.⁶

Respectfully submitted,

THE STATE OF ALASKA



Robert M. Halperin
CROWELL & MORING LLP
1001 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202/624-2543

Attorneys for the State of Alaska

Of Counsel:

John W. Katz, Esquire
Special Counsel to the Governor
Director, State-Federal Relations
Office of the State of Alaska
Suite 336
444 North Capitol Street, N.W.
Washington, D.C. 20001

January 19, 2000

1685572

⁶ Comments of the State of Alaska at 7-8, quoting Regulatory Commission of Alaska, Public Meeting, at 45-46 (November 3, 1999). *See also* Comments of Ron Philemanof, Chairman CEO of TDX, the Village Corporation of St. Paul Island (filed November 26, 1999).